

2122-CC00967  
CIVIL COURT CITY OF ST. LOUIS, STATE OF MISSOURI

State EX. Rel., Keith Young, On Behalf Of  
Himself And All Simillary Situated Individuals, Defendants

2021 MAY 21 PM 4:19  
FILED CIRCUIT  
CLERK

VS..

Lyda Krewson, Mayor

Director, Department of Streets; Kent D. Flake, Commissioner of Streets, Missouri, and Metropolitan Police Department, et al, Defendants,

Jamie Wilson,

Director, Department of Streets; Kent D. Flake, Commissioner of Streets, Missouri, and Metropolitan Police Department, et al, Defendants,

### WRIT SUMMARY

Plaintiff Keith Young 5449 Claxton, ST. Louis, Mo 63120  
On Behalf Of Himself And All Simillary Situated Individuals, Over \$ 250.

Defendants, Lyda Krewson,  
Director, Department of Streets, Kent D. Flake, Commissioner of  
Streets, 7410 Hall Street, ST. Louis, Mo 63146-2616, Metro-  
politan Police Department ST. Louis, Mo.

Jamie Wilson, Di-

Nature Of Underlying Action Complaint, if any Civil Rights  
Violation

Deceitful, trickery,

Action Of Defendants: Unauthorized, deliberate im-  
poundment / Tow my vehicle while or in face of State Of Emer-  
gency and unjustified taken of personal Property

Relief Sought by Plaintiff: Return Of Property or Value  
thereof and money damages

No court date, or deposition of any previous or pending writ  
or other action is not pending.

IN THE CIVIL COURT OF ST. LOUIS, CITY STATE OF MISSOURI

State Ex Rel.,

Keith S. Young, Plaintiff, On Behalf Of  
Himself And ALL Similery Situated Individuals, No. \_\_\_\_\_  
vs

Lyda Krewson, Mayor, Jamie Wilson,  
Director Department of Streets; Kent D. Flake,  
Commissioner of Streets, Missouri and  
Metropolitan Police Department City of  
ST. Louis, et al., Defendants

CIVIL RIGHTS COMPLAINT UNDER ~~42 USC 1981, 1982, 1983 AND~~  
1985, 1986, 1985(1)(2), (3) SECTION 1991, 1996, 1997, Act of 1991

1. The plaintiff Keith Young herein and above entitled cause of action brings his cause pursuant to ss Tit. 42 USC 1981, 1982, §§ 42 USC 1983 and 1985 1986, and 1985 (3) Sec. (5) 1991, 1996, 1997 Act of 1871, and for violation of rights; Racketeer Influence and corrupt Organize Act., 18 USC A 1962 (b) (c) (a) and 1462 (c);

All Exhibits "Ex's", are attached hereto made a part of this complaint, and are incorporated and adopted, and referred to as "EX", marked from A- G, and 1 - 21, to the plaintiff.

### Parties

1. The Plaintiff Keith Young, is at all times relevant to complaint cause of action arose, a citizen of the State of Missouri and the United States, residing on 5449 Claxton, City of St Louis.
2. Lyda Krewson, the mayor of Missouri, is at all times relevant to this complaint, is the mayor of Missouri or acting under the color of law, is a citizen of Missouri and the United States, it is unknown to plaintiff, whether or not defendant Krewson resides in Missouri, and is being sued both in her/ his individual or official capacities; Defendant Krewson is being sued in her or his corporate capacity;

3. Jamie Wilson, Director Department of Streets of Missouri, is at all times relevant to this complaint is in office and acting under color of law, is a citizen of Missouri and the United States; it is unknown to plaintiff or not Defendant Wilson resides in Missouri, and is being sued her/his individual or official capacities;

4. Kent D. Flake, the commissioner of streets in Missouri is at all times relevant to this complaint is in office and acting under color of law, is a citizen of Missouri and the United States; it is unknown to plaintiff whether Defendant Flake resides in Missouri or not, and is being sued in his individual or official capacities;

Metropolitan Police Department City of ST. Louis, Missouri

5. Metropolitan Police Department of City of ST. Louis, Missouri is being sued in their corporate capacity

Plaintiff alleges that defendants are officers of the State of Missouri. Mo. Rev. Stat. 84.330 (2000); Mo. Rev. Stat. 107.711.2 (2) (2000); 84.210, R.S. Mo. 2000.

6. Plaintiff alleges that defendants (jointly and severally) acted with intent to deceive, manipulate or defraud, a widespread persistent pattern of indifference to plaintiff's civil rights under 42 USC 1981 and 1983 when they impounded my vehicle.

7. Plaintiff contends that defendants, knowing misconduct, intentional disparate treatment and being exercised unreasonable and conduct by defendants policy created liberty or property interests by due process and state defendants either accept federal funds for a specificien department or agent

8. Plaintiff contends that defendants acted in bad faith, reckless or careless disregard or indifference to plaintiff's rights.

9. Plaintiff contends that defendants were negligent when state officer under color of state law fail to follow policy of Governor's State Of Emergency Orders and caused to of Plaintiff's vehicle and other personal property therein, "Loss,

10. Plaintiff alleges that defendants fail to be aware of unreasonable danger, deprive plaintiff of liberty, property interest in violation of constitutional guarantees

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Plaintiff alleges that it should not have been impossible for defendants to comply with both state and Federal requirements in the face of State of Emergency

11. Under the unique, quite circumstances of the location and area of the vehicle situation it's impossible to block.

12. The Plaintiff's Vehicle was parked sufficiently legally, partially close near the curb, on across the Street on in 415 Belt Ave, headed within inches straight into the second separate "Private Closed Fence Gate", a "Not Thru Deadend Alley", to plaintiff's right side and another alley open to the public to plaintiff's left and away, no close to plaintiff's Vehicle.

13. Plaintiff alleges that the defendants state officers, under the color of State law, chapter or or <sup>117 -</sup> intentionally, willingly and with malice, unlawfully failed to provide plaintiff with an accurate, proper or complete notice of reason or basis upon which the vehicle was impounded and therefore denied and deprived constitute a taking of Plaintiff's vehicle personal property without due Due Process of law in violation of plaintiff's Fifth Amendment Rights of the United States Constitution. Because surrounding conditions and circumstances and the way events were in place at the time during the "Stay At Home Emergency" there is no possible way the plaintiff was blocking traffic lane and thus were a pretextual or the like impoundment of plaintiff's vehicle.

14. Plaintiff alleges that the defendants acts were unjustified was not authorized under any Code of Ordinances Chapter 17.56, to cooper<sup>a</sup> act with the Board of police Comm. of the Metropolitan police department, and were without authority to to tow my car during the Mo Stay at Home order.

blocking traffic lane, illegally park-  
ed vehicle with major parking violations (i.e. rush, hour, fire  
hydrant, alley or intersection blocking) or anything in viola-  
tion of City County of ST. Louis Chapter 17.56, and that  
said Chap. 17.56 does not apply to the events and action;

15. Plaintiff alleges that code of Ordinances Chapter 17.56 is no defense to defendants action because plaintiff were prevented from obtaining his own Tow company for assistance due to the closing of Missouri. The Street or Are dose not allow much traffic.

16. Plaintiff contends that defendant's acts were deliberate fraud or misconduct that is subjective, improper motive, arbitrarily and negligent

17. Plaintiff contends that defendants are deliberate in different in training and supervising their officers, with filing incident reports, or other documents, and details of event.

18. Plaintiff alleges that his claims stems and evolve

Missouri Governor Michael Parsons

Executive Orders 0/5 04/2020 - Executive Order 10 - Extension of Executive Order 20-04, 20-05, 20-06, and 20-08 in response to COVID - 19. Signed STATE OF EMERGENCY IN MO April 7, 2020, eff. April 24<sup>th</sup>, 2020; Emergency declaration will allow these waivers and suspensions to remain in place as Missouri moves into recovery, continued flexibility in utilizing and deploy resources. Defendants own actions or inactions contradicts the entire Declaration.

19. Plaintiff alleges that my vehicle, Pontiac Grand AM year 2002, Silver, was unlawfully impounded by the herein named defendants.

All Exhibits "Ex.", are marked from A-Z, and attached hereto, are incorporated and adopted herein, and made a part hereof this action complaint by reference and referred to as "Ex."

20. The plaintiff complaint action presents or fall within the exceptional category of excepting excipendiis in which justice was being denied and irreparable injury being down as follows:

The virus has been named "SARS - CoV-2" disease it cause name (Coronavirus disease 2019) (abbreviated "COVID-19"). State wide stay - at - home order help slow the spread of the Corona in the State. This order also covers the timeframe of existing Municipal and county orders.

21 Plaintiff argue that defendants failed to provide him with an accurate, vehicle copy of the reasons for the impoundment of the vehicle and that reason given was not specific sufficient or proper reason for towing. See Ex. attached hereto and referred and incorporated. Ex.

The reason stated for towing impounding vehicle is "blocking traffic lane Ex.

22 Plaintiff contends the reason is blanked because it lack details. ( does not list or state where or what lane, on what street, Blvd, or Ave, intersection or highway or alley being blocked.

23 The plaintiff's vehicle was proper parked partially near the curb on Belt Ave. 415 Belt Ave ST. L Mo. a private gate closed <sup>ahead</sup> street, a locked closed gate alley to the right from Waterman Blvd. Stating "Alley Not Thru". and an alley to the left open to public. There were not sufficient allegations of violation of any infraction of any County or city or

24 Plaintiff alleges that Police Department City of ST. Louis Department of Streets obtained possession of my vehicle without or outside of their authority, or improper authority towing my vehicle See, Ex. B and C attached hereto referred to as plaintiff's Ex. B. and C.

25. Plaintiff contends that defendants impoundment of his vehicle under color of State law or regulations or ordinances violated Federal Const., rights and without proper notice violated § 400.9-602 R.S. Mo Supp. 2002 and § 400.9-623 R.S. Mo. Supp. 2001, and therefore was deprived of procedural and substantial protection of due process. of the federal protection possessed a property interest created by the federal Constitution itself in that the State cannot take away without due process and thus was denied by arbitrary irrational State, local, officers

26. Plaintiff contends that defendants policies or customs were the moving force behind the constitutional violation of plaintiff's constitutional rights

27 Plaintiff contends that Defendant's city policy, custom or regulations was void because vague, ambiguous and overbroad, thus impoundment and towing, unauthorized

28 Defendants provided an unauthenticated copy of re - removal impoundment of my vehicle

29 Plaintiff contends that defendants breached a ministerial duty imposed by statute, regulation or departmental-mandated duty, and that Notice was defective, null and void,

30 Plaintiff contends that practical difficulties prevented him from using my personal property, and the Notice conflict with or contradict or inconsistent to the actual set-up of the alleged street or Are the vehicle were suppose to be blocking, combined with existing State of Emergency, acts of defendants that is different from the policy of federal Government,

31 Plaintiff contends that acts or omissions by defendants curtailed plaintiff's right to property constitute a taken.

32 Plaintiff contends that Notice provided by defendants fail to satisfy Due Process Clause of the Fifth and Fourteenth Amendments of United States and Missouri Constitution.

33. Plaintiff contends that defendant's Notice failed to provide him with sufficient adequate information to defend and prepare a defense against the reasons for impoundment and is in fact "No Notice".

Notice was not true, were false not truth, misleading

34 Plaintiff contends that defendants failed to provide him with timely Notice of reasons for impoundment of my vehicle and therefore said Notice is insufficient and of no legal force

35. Plaintiff contends that Notice provided by defendants opposit and contrary to the condition and actual circumstances and event and area alleged to be blocking, alleged to have been blocked lame "alley" was not alleged

36. lack fact specific statement failed to connection with Notice. There is distinction between block an area, and sitting or standing over to the side

37 Plaintiff alleges a A State or Federal emergency had been declared did not cite as a reason for towing. Emergency Tow MO Rev. Stat. s 304. 1E (2017), also include 76-282, and in any sense would be liable

38. Plaintiff alleges that the defendants claimed their action impounding my vehicle on 4-27-2020, and to call Plaintiff to endure the rate of \$25 per day for storage charges were accumulating at the minimum rate of \$25 per day for storage charges were accumulating at the rate of \$25 per day and more than 30 days the daily storage rate will double. See. Ex.

39. Plaintiff alleges that defendants actions were for the purpose of compromising their defense and an inherent conflict of interest between Plaintiff and defendants, or that acts of statute, zoning, or ordinance or state legislature conflict with federal law

Plaintiff alleges that defendants took action pursuant to an unconst, custom or policy

40. Plaintiff alleges that defendants subjected him to an improper public practice or Criteria caused injuries.

41

41 Plaintiff contends that defendant's decision to impound my vehicle were wholly arbitrary and capricious and irrational in a strict sense, or prompted by involve political or religion, thus were wilful act or omission, or gross negligence, equal bias to confiscate plaintiff property;

42 Plaintiff also assert an equal protection claim, argue that similar zoning must yeald or change to Governor's State Of Emergency; Federal law, is so stringent as to const., a taking without just compensation caused economic dress injuries were "lasting and or severe;

43 Plaintiff contends that defendants acted with subjective deliberate indifferent i.e., defendants take personal property and an and transfer to law enforcement as gifts or other things (were outside scope of authority once the Governor signed State Of Emergency, on Apr. 7th, 2020, and defendants were not allowed and authorized to impound the vehicle

44 Plaintiff contends that defendants capricious interfere randomly impounded plaintiff's personal property was caused by the City policy or customs, which were not responsive, quilded or in response to such a State of Emergency and therefore were inadequate or lack of training prejudice Plaintiff's rights, violate First and Fourth, and Fourteenth Amend., U.S. Const.

45. Plaintiff belong to a racial minority and that others outside my group were treated differently

46. alleges that security ought to reasonably have foreseen the event in question or some similarly event would occur and contends that, as written, the stat., rules or regulations authorizes general searches in contravention of Fourth Amend., U.S. Const., and should be struck down ( ) where officers has sufficient culpable state of mind.

47. alleges that the conduct a "routine walk-in check" constitute an illegal seizure of property,

An ordinance has no effect over a statute, or other such events as the "State Of Emergency" declared. City of St. Louis charter chapter 17.56, had no legal effect,  
Mo. Bill of Rights Art. I., V.A.M.S. Const., Art. I., s 4, 10  
Art. I., s 9 V.A.M.S. Const., 42 U.S.C., s, 1983, ss 213.111, 213.010,-  
213.137 while acting under color of Federal law;

Ope Consilio: Aid/Counsel

Does not have a license to practice any art: Licentiate

48 Plaintiff alleges that defendants is incompetent  
subjecting and conducting or practice which is or might  
be harmful or damaging to the physical health of a  
patient and were delus; ( ) had no right to take  
Plaintiff's property . Preter, prendre, and capax negotii

overcome respondent su  
Hill v. Marshall, 962 F.2d 1209 (6th cir. 1992) Hofer v. Maio 112  
S.Ct. 358 (1991)

49 defendants took part in and were  
aware of in deprivations of due process claims. Griffin - Bey, 978 F  
2d 455

Plaintiff alleges that this tow created a property interest.

clearly established constitutional rights to which  
568 F.3d 269 522 F.S.789  
every reasonable officer would or should have known.

defendants

118 S.Ct. 1252 at 1254  
viol Bill of Rights in Fourteenth Amend.  
U.S. v. Lanier 117 S.Ct. 1219 (1997).

On 7/6/2020 Gov. signed Mo. R.S. § 476.270, 476.-265. & 476.280, and public funds in 210.160 R.S. Mo, (1978), means state funds nor were provided to assist plaintiff's situation in any form or way,

Plaintiff alleges that defendants action were wrongfully against the will and without the consent of the defendants upon take away said property and converted to their own use

That by reason of the premises defendants has damaged plaintiff's property in the sum three thousand dollars

52. Wherefore the premises considered plaintiff prays judgement against defendants their agents, officers, servants and employees for the said sum

with costs and attorney's fees and that said defendants be restrained and enjoined from ac-  
his property, maintaining said vehicle therein until defendants has been paid just compensation for the taking and appropriation of said property. Provision of, § 21, Art. 2, of Const., of MO

54 Plaintiff contends that defendants cannot deny their  
knowledge or the existence of State of Emergency policies  
and procedures ( ) local Government violated const. right  
pur to custom or Federal Government  
and ( ) Administration foot-dragging const., a  
taking in violation of Fifth and Fourteenth Amendments  
of the United States Constitution

55 Plaintiff alleges that defendant Krewson, Wilson and  
Flake and Metropolitan Police Department City of St. Lou  
fraudulently participated in or took part in the de-  
privation of plaintiff's const. rights.

Sufferance § 44. Art. IV, 1875 Const., authorize bonds  
other than renewal of existing bonds on the occur of an  
unforeseen emergency, or cause defiling the revenue.

56. Plaintiff contends that City policy or regulations was void because vague, ambiguous and overbroad and towing, impoundment unauthenticated copy of removal of my vehicle;

57 Plaintiff contends that defendants breached a ministerial duty imposed by statute or regulation, thereby violated either a stat. or departmental - mandated duty

58 Plaintiff contends that the practical difficulties prevented him from using my property and conflict with <sup>contradicts, or</sup> inconsistent with existing State of Emergency "acts that is different from the policy of Federal Government".

59. Plaintiff contends that acts by defendants curtailed owner right to property constitute a taking  
VAMS 490-680, Business record.

Plaintiff contends that substantially all economic use of my property was denied during the period in question, that a regulator taking a regulatory imposition of effected only a partial loss of economically viable use of plaintiff's property

56 Plaintiff contends that defendant's policy or custom was "moving force behind the injury" and which was clearly established.

57 Plaintiff contends that defendants altered, wipe-out, omitted or deleted or destroyed the true details of the incident, or its occurrence, in an effort to mislead or create confusion concerning their issuance of the ticket which were and reasons for impoundment of the car.

58, Plaintiff alleges that the defendants acts were unjustified was not authorized under any Code of Ordinances Chapter 17.56, to coopers act with the Board of police Comm. of the metropolitan police department, and were without authority to to tow my car during the Mo Stay at Home order.

59, blocking traffic lane, illegally park - ed vehicle with major parking violations (i.e. rush, hour, fire hydrant alley or intersection blocking) or anything in violation of City County of ST. Louis Chapter 17.56, and that said Chap. 17.56 does not apply to the events and action;

60, Plaintiff alleges that code of Ordinances Chapter 17.56 is no defense to defendants action because plaintiff were prevented from obtaining his own Tow company for assistance due to the closing of Missouri. The Street or Are dose not allow much traffic.

61, Plaintiff contends that defendant's acts were deliberate fraud or misconduct that is subjective, improper motive, arbitrarily and negligent

62. Plaintiff alleges that defendant's actions in towing my vehicle was constitute a taking without just compensation decision was arbitrary and capricious a deprivation of plaintiff's substantive and procedural Due Process Clause of law.

63. Plaintiff contends that defendant obtained possession of vehicle without proper notice violates § 400.9-602. R.S. Mo. Supp. 2002, and § 400 9-623, R.S. Mo Supp. 2001

under color of any stat. or federal protect rights. Carlson v. Roetel & Anderson 51 F.3d 648 (2008 8th cit.)  
Gomez v. Toledo, 100 S. Ct. 1920 (1980)

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Harrison v. Springdale Water & Sewer Com  
780 F.2d 1422 (8th cir. 1986)

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City of Canton, Int 489 U.S. at 390, n.10

64. Plaintiff alleges that ST. Louis City police department, and Department of Streets obtained possession of my vehicle without or outside of their authority. claims stems or involved and center ground Missouri Governor Parson March 2020, officially declaring and signing Executive Order 20-20, State Of Emergency in Missouri.

65. Plaintiff contends that defendants intentionally and wilfully misrepresented cause of accusation "Reasons for towing", "blocking traffic" is unenforceably vague, that it allow any interpretation it wishes, and involved legitimate matter of public interest and were protected by First Amend., United States Constitution

66. Plaintiff contends that defendants are required to safe guard public Health. 334.100.1 (4), R. S. Mo. 1978

67. Plaintiff contend that defendants are liable for the pena as well as under s 34 of Mo. Act. of 1804 (Rev. 1825) R. C. 1845 Tit. 20 Staves art., 1 ss 31, 32

68 Plaintiff contends that defendants cannot deny their  
knowledge, or the existence of State of Emergency policies  
and procedures ( ) local Government violated const. right  
our to custom or Federal Government  
and ( ) Administration foot-dragging const., a  
taking in violation of Fifth and Fourteenth Amendments  
of the United States Constitution

69 Plaintiff alleges that defendant Kewson, Wilson and  
Flake and Metropolitan Police Department City of St. Lou  
fraudulently participated in or took part in the de-  
privation of plaintiff's const. rights.

Sufferance § 44. Art. IV, 1875 Const., authorize bonds  
other than renewal of existing bonds on the occur of an  
unforeseen emergency, or cause defiling the revenue.

Plaintiff contends that defendants acts by conspiring to disti-

PRAYER FOR RELIEF

WHEREFORE Plaintiff respectfully prays that this court issue orders on behalf of Plaintiff that the actions of the Defendants herein as set out above, violate Plaintiff's rights under the Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution.

Request damages in the amount of \$ 407.463  
minus \$ for paid and suffering defendants also  
be required to return his car or provide him  
with a car from the defendants tow yard, for  
such further relief as the court deems proper,  
just, and fair, including his court costs and fees  
be extended and paid by defendants.

Keith S. J.

## Certificate Of Service

The undersigned hereby certify that a true and correct copy the above and foregoing attached was mailed by placing it in an envelope postage prepaid, in the U.S. Mail this 25<sup>th</sup> of March 2021.

Respectfully submitted,

By: Keith

VERIFICATION.

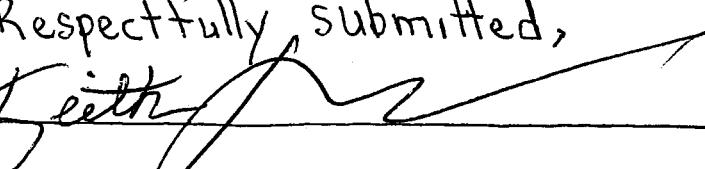
State OF Missouri )

City OF ST. Louis ; SS

I, Keith Young, the affiant in the above and foregoing and after being first duly placed under oath or affirmation do hereby swear and certify that I have read the information

## Certificate Of Service

The undersigned hereby certify that a true and correct copy the above and foregoing attached was mailed by placing it in an envelope postage prepaid, in the U.S. Mail this 25  
March 2021.

Respectfully submitted,  
By: Keith   
VERIFICATION

State OF Missouri )  
City OF ST. Louis ; SS

I, Keith Young, the affiant in the above and foregoing and after being first duly placed under oath or affirmation do hereby swear and certify that I have read the information

allegations and facts herein above alleged and stated are in  
good faith and are true, correct and accurate according to  
the affiant's ability information and belief.

X Keith

In testimony whereof, I have hereunto set my hand  
affixed my official seal the day and year below written  
Subscribed And Sworn To this 21<sup>st</sup> day of  
May 2021.

Barbara D. Renfrow  
Signature Of Notary Public For Said City And State

My Commission Expires: 5-31-2024

X Keith  
Signature of Affiant

